

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION  
NO. 05-11443-GAO

**ETHAN THOMAS**  
**Plaintiff,**

VS.

**NEW ENGLAND FAST FERRY OF  
MASSACHUSETTS, LLC, NEW  
ENGLAND FAST FERRY COMPANY, LLC,  
and INTERLAKE LEASING IV, INC.,**  
**Defendants.**

**JOINT SCHEDULING STATEMENT**

Now come the parties, in the above captioned action, by and through their undersigned counsel, after conferencing pursuant to Local Rule 16.1(B) of the United States District Court, District of Massachusetts, hereby file this proposed Joint Scheduling Statement.

**I. DISCOVERY**

The parties propose the following discovery plan:

- A. The Plaintiff proposes that all factual discovery be completed by June 30, 2006. The Defendants propose that all factual discovery be completed by September 18, 2006;
- B. The Plaintiff proposes that his designation of experts and disclosure of expert information and reports pursuant to the Federal Rules of Civil Procedure be served by July 31, 2006. The Defendants propose that the Plaintiff's expert information be served by October 18, 2006.
- C. The Plaintiff proposes that Defendants' designation of experts and disclosure of expert information and reports pursuant to the Federal Rules of Civil Procedure be served by August 31, 2006. The Defendants propose that the Defendants' expert information be served by November 20, 2006.

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- D. The Plaintiff proposes that all expert depositions be completed by September 30, 2006. The Defendants propose that all expert depositions be completed by January 7, 2007.
- E. Final Pretrial Conference to be scheduled after February 9, 2007.

**II. MOTION SCHEDULE**

In addition to the above, the parties propose the following motion schedule.

- A. Motions to amend the pleadings, to add parties or to set forth additional claims to be filed on or before December 31, 2005.
- B. The Plaintiff proposes that dispositive motions be filed by September 30, 2006. The Defendants propose that dispositive motions be filed by February 9, 2007 with Oppositions filed within fourteen (14) days as set forth in the Local Rules of this Court.

**III. CERTIFICATION**

The parties report that they have conferred with their clients pursuant to Local Rule 16.1(D)(3) and will independently file their Certificates of Compliance.

**IV. TRIAL BY MAGISTRATE JUDGE**

The parties do not consent to trial by a Magistrate.

**V. SETTLEMENT**

The plaintiff has tendered a written settlement demand to the defendants.

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**WHEREFORE**, the parties pray that this Honorable Court approve the above proposed schedule.

Respectfully Submitted,

**PLAINTIFF**  
**LATTI & ANDERSON, LLP**

**DEFENDANT**  
**CLINTON & MUZYKA, P.C.**

**"/s/ David J. Berg"**

David J. Berg  
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**"/s/ Thomas J. Muzyka"**

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Dated: November 9, 2005

UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS

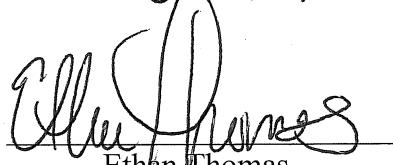
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ETHAN THOMAS, )  
Plaintiff )  
                  ) Civil Action  
V.                ) No. 05-11443-GAO  
NEW ENGLAND FAST FERRY OF )  
MASSACHUSETTS, LLC, )  
NEW ENGLAND FAST FERRY )  
COMPANY, LLC, and )  
INTERLAKE LEASING IV, INC., )  
Defendants )  
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AFFIDAVIT

I, Ethan Thomas, hereby depose and state as follows:

1. I have discussed with my attorneys the probable budget for the costs of conducting the full course - and various alternative courses - of the litigation.
2. I have discussed with my attorneys potential resolution of the litigation through the use of alternative dispute resolution programs.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY  
THIS 16 DAY OF OCTOBER, 2005.



Ethan Thomas